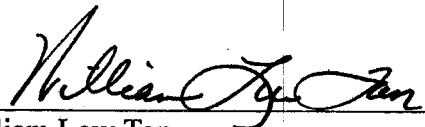


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3 **DECISION AND ORDER**  
4 **OF THE**  
5 **BOARD OF PSYCHOLOGY**

6  
7 **DEPARTMENT OF CONSUMER AFFAIRS**

8  
9 The attached Stipulation for Surrender in case number 1F 2002 130217, is hereby  
10 adopted as the Decision and Order of the Board of Psychology, Department of Consumer  
11 Affairs. An effective date of February 11, 2004, 2004 has been assigned to this  
12 Decision and Order.

13  
14 Made this 12th day of January, 2004.

15  
16   
17 William Lew Tan  
18 President, Board of Psychology  
19 Department of Consumer Affairs  
20  
21  
22  
23  
24  
25

1 BILL LOCKYER, Attorney General  
of the State of California  
2 STEVEN H. ZEIGEN, 60225  
Deputy Attorney General  
3 California Department of Justice  
110 West "A" Street, Suite 1100  
4 San Diego, CA 92101

5 P.O. Box 85266  
San Diego, CA 92186-5266  
6 Telephone: (619) 645-2074  
Facsimile: (619) 645-2061

7 Attorneys for Complainant  
8

9  
10 **BEFORE THE**  
**BOARD OF PSYCHOLOGY**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Investigation Pending  
Against:

Case No. 1F 2002 130217

14 PATRICIA A. HOLLADAY, Ph.D.  
11838 Bernardo Plaza Court, Suite 206A  
15 San Diego, California 92128

**STIPULATION FOR SURRENDER**  
**OF PSYCHOLOGIST'S LICENSE**

16 Psychologist License No. PSY 10121

17 Respondent.  
18

19 Comes now the complainant, Tom O'Connor who alleges as follows:

20 1. He is the Executive Director of the Board of Psychology, Department of  
21 Consumer Affairs, State of California and makes this stipulation in his official capacity.

22 2. Respondent, Patricia A. Holladay, Ph.D. ("respondent") is represented in  
23 this matter by Gary Wittenberg, Law Offices of Baronov & Wittenberg, LLP, whose address is  
24 2029 Century Park East, Suite 300, Los Angeles, CA 90067-2904.

25 3. Respondent is aware of an ongoing investigation into allegations of her  
26 engaging in a sexual relationship with a patient. Rather than contest the allegations respondent  
27 has chosen to surrender her license to practice psychology.

28 ///

1           4.     Respondent has discussed the matter with her attorney and understands the  
2     nature of the allegations being investigated, and that if an Accusation were filed, and if the  
3     charges being investigated were proven at hearing, such charges and allegations would constitute  
4     cause for imposing discipline upon respondent's license issued by the Board.

5           5.     Respondent and her counsel are aware of each of respondent's rights,  
6     including the right to be represented by counsel, the right to a hearing on any charges and  
7     allegations filed by way of accusation, the right to confront and cross-examine witnesses who  
8     would testify against respondent, the right to testify and present evidence on her own behalf, as  
9     well as to the issuance of subpoenas to compel the attendance of witnesses and the production of  
10    documents, the right to contest the charges and allegations, and other rights which are accorded  
11    respondent pursuant to the California Administrative Procedure Act (Gov. Code, § 11500 et seq.)  
12    and other applicable laws, including the right to review by the superior court and appellate  
13    review.

14          6.     Respondent, after consulting with her attorney, freely and voluntarily  
15    waives each and every one of the rights set forth in paragraph 5.

16          7.     Respondent understands that by signing this Stipulation she is enabling  
17    the Board to issue its order accepting the surrender of her license without further process. She  
18    understands and agrees that Board staff and counsel for complainant may communicate directly  
19    with the Board regarding this Stipulation, without notice to, or participation by, respondent. The  
20    Board will not be disqualified from further action in this matter by virtue of its consideration of  
21    this Stipulation. In the event that this Stipulation is rejected for any reason by the Board, it will  
22    be of no force or effect for either party except for this paragraph.

23          8.     Respondent fully understands and agrees that if she ever files an  
24    application for relicensure or reinstatement in the State of California, the Board shall treat it as a  
25    petition for reinstatement and respondent must comply with all the laws, regulations and  
26    procedures for reinstatement of a revoked license in effect at the time the petition is filed.  
27    Further, respondent understands that if she files an application for relicensure or reinstatement,  
28    the investigation of sexual misconduct with a patient will be resumed without effect by the

1 Statute of Limitations, and that an Accusation alleging, inter alia, sexual misconduct will be filed  
2 following the completion of the investigation.

3           9.       Respondent understands and agrees that if she ever files an application for  
4 relicensure or reinstatement, she will reimburse the Board the amount of \$4,500.00 as the costs  
5 of investigation and prosecution of this matter prior to the time any relicensure or reinstatement  
6 would be effective. Unless otherwise agreed by the Board, such reimbursement shall be paid in  
7 full prior to the processing of the application for relicensure or reinstatement. In addition, the  
8 Board may enforce payment as provided by law. The filing of bankruptcy by the respondent  
9 shall not relieve respondent of her responsibility to reimburse the Board for its investigative and  
10 prosecution costs.

11           10.       Upon acceptance of this Stipulation by the Board, respondent agrees to  
12 cause to be delivered to the Board her license and wallet certificate before the effective date of  
13 the Decision. Respondent further understands that, on or after the effective date of this Decision,  
14 she will no longer be permitted to practice as a psychologist in California.

15           11.       The Board and Respondent stipulate that the effective date of this Decision  
16 shall be no earlier than January 31, 2004. Respondent shall immediately cease accepting new  
17 patients and, in accordance with professional standards, shall appropriately refer/terminate all  
18 existing patients within 30 days of the effective date of this Decision.

19           12.       All admissions and recitals contained in this Stipulation are made solely  
20 for the purpose of settlement in this proceeding and for any other proceedings in which the Board  
21 is involved, and shall not be admissible in any other criminal or civil proceedings.

22                               **ACCEPTANCE**

23           I, Patricia A. Holladay, Ph.D., have carefully read the above Stipulation and fully  
24 discussed the terms and conditions therein with my counsel of record in this matter, Gary  
25 Wittenburg. Having done so, I enter into it freely and voluntarily, and, with full knowledge of its  
26 force and effect. I do hereby tender for surrender my Psychologist's License No. PSY 10121 to  
27 the Board. By signing this Stipulation to surrender my license, I recognize that upon its formal  
28 acceptance by the Board, I will lose all rights and privileges to practice as a psychologist in the

1 State of California, and I also will cause to be delivered to the Board both my licenses and wallet  
2 certificate before the effective date of the Decision.

3 DATED: Nov. 14, 2003.

4  
5   
6 PATRICIA A. HOLLADAY, Ph.D.  
7 Respondent

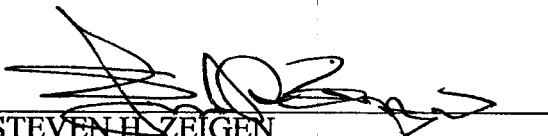
8 DATED: 11/19, 2003.

9  
10   
11 GARY WITTENBURG, Esq.  
12 Baronov & Wittenburg, LLP

13 Attorneys for Respondent

14 DATED: 11/24, 2003.

15 BILL LOCKYER, Attorney General  
16 of the State of California

17   
18 STEVEN H. ZEIGEN  
19 Deputy Attorney General

20 Attorneys for Complainant

21 c:\dat\psychbd\Holladay.sur  
22 SHZ:vc  
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DECLARATION OF SERVICE BY CERTIFIED MAIL

In the Matter of the Investigation Pending  
Against:

Patricia A. Holladay, Ph.D.

No.: 1F 2002 130217

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 1422 Howe Avenue, Ste. 22 Sacramento, California 95825. I served a true copy of the attached:

DECISION AND ORDER

by mail on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

NAME AND ADDRESS

CERT NO.

Patricia A. Holladay, Ph.D.  
11838 Bernardo Plaza Court, Ste. 206A  
San Diego, CA 92128


7002 0860 0004 1219 6484

Gary Wittenberg  
Law Offices of Baranov & Wittenberg, LLP  
2029 Century Park East, Ste. 300  
Los Angeles, CA 90067-2904

Steven H. Ziegen  
Deputy Attorney General

Each said envelope was then on, January 12, 2004, sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, as certified mail, with the postage thereon fully prepaid, and return receipt requested.

Executed on, January 12, 2004, at Sacramento, California.  
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

  
\_\_\_\_\_  
DECLARANT  
Kathi Burns  
Enforcement Coordinator